

## Message Text

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ORIGIN IO-14

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TO AMCONSUL CAPE TOWN IMMEDIATE  
USMISSION USUN NEW YORK IMMEDIATE  
INFO AMEMBASSY PRETORIA IMMEDIATE

C O N F I D E N T I A L STATE 087035

CAPE TOWN PASS TO AMBASSADOR MCHENRY

E.O. 11652: GDS

TAGS: PORG, SF, WA

SUBJECT: NAMIBIA: PROPOSAL FOR AN INTERNATIONAL  
COMMISSION TO DETERMINE NAMIBIAN VIEWS ON CONTACT GROUP  
PROPOSAL

REF: A) CAPE TOWN 342; B) CAPE TOWN 380;  
C) CAPE TOWN 619

1. ON BASIS OF CAPE TOWN'S SUGGESTION (REFTELS),  
DEPARTMENT HAS BEEN CONSIDERING PROPOSAL FOR ESTABLISH-  
MENT OF INTERNATIONAL COMMISSION WHICH WOULD SEEK TO  
DETERMINE VIEWS OF NAMIBIAN PEOPLE TOWARD CONTACT  
GROUP PROPOSAL. ALTHOUGH WE ARE ATTRACTED TO INTER-  
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NATIONAL COMMISSION AS MEANS TO REFUTE ANY SOUTH  
AFRICAN REJECTION OF OUR PROPOSAL ON GROUNDS THAT IT  
WAS UNACCEPTABLE TO NAMIBIAN PEOPLE, WE HAVE IDENTIFIED  
SOME FAIRLY SUBSTANTIAL OBSTACLES WHICH WOULD HAVE TO  
BE OVERCOME BEFORE WE COULD MOVE AHEAD WITH THIS IDEA.  
WE WOULD WELCOME EMBASSY CAPE TOWN'S VIEWS ON THESE  
POINTS AS WELL AS COMMENTS OF USUN BASED ON CONSULTATIONS

WITH CONTACT GROUP.

2. TO BEGIN WITH, WE SEE PROBLEM IN SPONSORSHIP OF

INTERNATIONAL COMMISSION. IF THE RESULTS OF THE COMMISSION'S WORK ARE TO HAVE ANY INTERNATIONAL STATUS, IT WILL HAVE TO BE ORGANIZED UNDER, OR AT LEAST ENDORSED BY, THE UN. THIS IMPLIES SWAPO'S AGREEMENT TO COMMISSION. GIVEN THE UN FOCUS OF THE CONTACT GROUP EFFORT, WE DO NOT SEE HOW THE CONTACT GROUP COULD MOVE AHEAD WITH THE IDEA IN THE ABSENCE OF UN APPROVAL. SINCE THE CONTACT GROUP HAS NO STANDING IN NAMIBIA EXCEPT AS A RESULT OF THE FACT THAT ITS MEMBERS ARE ON THE SECURITY COUNCIL, IT WOULD NOT SEEM POSSIBLE FOR THE CONTACT GROUP TO PROCEED UNILATERALLY AS THE UK DID IN THE CASE OF THE 1971 PEARCE COMMISSION ON RHODESIA. THERE WAS NO QUESTION, INTERNATIONALLY, OF THE UK'S STANDING IN THE RHODESIA AFFAIR, SO IT COULD BE ARGUED THAT NO UN AUTHORIZATION WAS NEEDED FOR THE UK TO SEND A COMMISSION TO RHODESIA TO EVALUATE POPULAR ATTITUDES TOWARD THE SETTLEMENT PROPOSALS.

3. ANOTHER CASE IN WHICH AN INTERNATIONAL COMMISSION WAS SENT TO DETERMINE POPULAR ATTITUDES WAS AT THE CONCLUSION OF THE MALAYSIA-INDONESIA "CONFRONTATION" IN AUGUST 1963. AT THAT TIME, THE THREE PARTIES TO THE CONFIDENTIAL

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PROBLEM, MALAYA, THE PHILIPPINES, AND INDONESIA, ASKED THE UN SYG TO SEND A COMMISSION TO SABAH AND SARAWAK TO DETERMINE WHETHER THE OUTCOME OF THE ELECTIONS WHICH HAD BEEN HELD THERE ON THE MALAYSIA ISSUE ACCURATELY REFLECTED THE VIEWS OF THE PEOPLE. THE SYG, ACTING WITHOUT COUNCIL RESOLUTION, SENT AN EIGHT-MAN TEAM FROM THE SECRETARIAT, WITH SUPPORT PERSONNEL, TO AREA, WHERE TEAM CONFIRMED THAT ELECTIONS HAD IN FACT BEEN AN HONEST EXPRESSION OF POPULAR WILL. IN POLITICAL CONTEXT OF THE TIME, KEY ELEMENT IN SUCCESSFUL UN INVOLVEMENT IN SOLUTION TO "CONFRONTATION, WAS AGREEMENT OF INDONESIANS TO SYG'S ROLE, WHICH EFFECTIVELY PREVENTED SOVIET INTERFERENCE WITH SYG'S DISPATCH OF MISSION TO THE AREA.

4. ON BASIS OF CASES CITED ABOVE, SUCCESSFUL USE OF COMMISSION OF INQUIRY TECHNIQUE IMPLIES RELATIVELY HIGH DEGREE OF AGREEMENT AMONG KEY PARTIES TO DISPUTE. IF A MECHANISM WERE TO BE SET UP, IT WOULD PRESUMABLY BE THROUGH AN SC RESOLUTION DIRECTING THE SYG TO APPOINT A REPRESENTATIVE WITH A MANDATE TO SET UP MACHINERY TO DETERMINE THE VIEWS OF THE NAMIBIAN PEOPLE ON THE

CONTACT GROUP PROPOSALS AS A FRAMEWORK FOR THE TRANSITION

TO INDEPENDENCE. WE SEE THE FOLLOWING PROBLEMS WITH SUCH AN APPROACH:

-- FOR DIFFERENT REASONS, SWAPO AND SAG MIGHT BOTH REJECT THIS IDEA;

-- GIVEN CURRENT TENSE SITUATION IN NAMIBIA, IT MIGHT NOT PROVE POSSIBLE TO DETERMINE THE VIEWS OF THE PEOPLE RELIABLY WITHOUT FULL IMPLEMENTATION OF THE CONTACT GROUP PROPOSALS AND AN INTERNATIONALLY SUPERVISED ELECTION;

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-- GETTING A PROCESS LIKE THIS IN MOTION MIGHT ONLY DELAY THE PROCESS OF GETTING THE PARTIES TO COME TO TERMS WITH THE CONTACT GROUP PROPOSALS;

-- A CONSULTATIVE PROCESS COULD TAKE A LONG TIME TO ACCOMPLISH. FOR INSTANCE THE PEARCE COMMISSION WAS IN RHODESIA FOR ALMOST TEN MONTHS. WHILE MUCH SMALLER POPULATION IN NAMIBIA COULD REDUCE AMOUNT OF TIME REQUIRED, SERIOUS ATTEMPT TO DETERMINE POPULAR VIEWS OF NAMIBIANS WOULD BE VERY TIME-CONSUMING PROCESS.

5. DESPITE THE RESERVATIONS OUTLINED ABOVE, WE WOULD BE INTERESTED IN VIEWS OF OTHER CONTACT GROUP MEMBERS AND OF EMBASSY CAPE TOWN.

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## Message Attributes

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